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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,767	03/30/2005	Takeshi Hayakawa	2005_0353A	4794
52349 7590 11/24/2009 WENDEROTH, LIND & PONACK L.L.P. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503				
EXAMINER				
ANDRAMUNO, FRANKLIN S				
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2424				
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11/24/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,767

Applicant(s)

HAYAKAWA, TAKESHI

Examiner

FRANKLIN S. ANDRAMUNO

Art Unit

2424

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/30/09.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-4, and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-4, and 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI.08)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/30/09 have been fully considered but they are not persuasive. Applicant argues on page 2 third paragraph, "Mori does not disclose the first control means and the second control means as recited in claim 1." While applicant's point is understood, examiner respectfully disagrees. First of all, the first control means referred to claim 1 are involved in the language of manipulation and transmission of image signals at the remote controller. This is clearly taught by Hino on (figure 78) where a phone is shown to be the remote control terminal capable of controlling the transmission and manipulation of image signals to the household television and a/v devices. Furthermore, the second control means is referred on the transmission and manipulation of image signals within the television, as disclosed on claim 1. This is exactly what Mori teaches on (figure 2). More shows a remote control section (140) and a control section (190), within a tv apparatus.
2. Applicant further argues on page 2 fifth paragraph, "Hino and Mori fail to disclose a first display means and a second display means operable to display images of one or more images as a two-dimensional array of thumbnail images." Examiner again disagrees. Mori teaches on (figure 20) a two dimensional array of images being displayed on a tv screen. This element feature combined with the two dimensional thumbnail array shown on (figure 2A) of Aoki clearly teach the invention.

3. Applicant further argues on page 3 first paragraph, "Aoki does not disclose that the first control means and the second control means are operable to prevent the first display means and the second display means, respectively from displaying a time period when no image from the time period exists in the recording medium. Examiner again respectfully disagreed. Mori explicitly shows on (figure 20) a section between 14:04 ~ 14:17 where no images are recorded and hence no thumbnail image is displayed on that element array.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hino et al (US 7,237, 029 B2) in view of Mori et al (US 7,228,061 B2) in view of Aoki et al (US 7,417,680 B2). Hereinafter referred as Hino, Mori, and Aoki.

Regarding claims 1 and 4, Hino discloses an apparatus and method for displaying images comprising a TV receiver which displays images from a recording medium (**Channel of recording in figure 34**), and a remote controller which controls the TV receiver (**column 1 lines 48-52**): wherein the TV receiver comprises: a media insertion means for inserting the recording medium (**column 2 lines 1-5**); a media control means for forming a display image list (**control command in figure 78**), based

on image information from the recording medium, when detecting insertion of the recording medium into the media insertion means (**column 13 lines 56-60**); a first display-image-list storage means for storing the display image list (**column 13 lines 45-47**); a first display means for displaying at least one of image information and one or more images (**Figure 78**); and a first control means for transmitting the display image list and images stored in the recording medium to the remote controller (**Remote Control Terminal in figure 78**), and for, when receiving control information from the remote controller (**Control command in figure 77**), outputting at least one of image information and the one or more images (**Figure 78**) from the recording medium to the first display means, based on the control information and the display image list stored in the first display-image-list storage means (**Supply of Operation Screen in figure 77**); and wherein the remote controller comprises: a second display-image-list storage means for storing the display image list (**Remote control terminal in figure 77**); when receiving the display image list from the TV receiver, making the second display-image-list storage means store the display image list (**Network for Cellular Phone in figure 77**), and for, when receiving control information from a user, transmitting the control information to the TV receiver and outputting the image from the recording medium to the second display means (**control command in figure 19**), based on the control information and the display image list stored in the second display-image-list storage means (**column 24 lines 10-42**).

However, Hino fails to disclose receiving the control information from a user. Mori discloses in (**figure 2**) the remote control section (140) manipulates the image and

sound control section (121) and (123). Moreover, Mori also teaches a remote control to have a second display means for displaying at least one of information and the one or more images (**Screen (255) in figure 4**). Furthermore, Mori also teaches the use of external recording device such as a dvd recording to display images (**column 26 lines 60-65**). In addition, Mori teaches in (**figure 20**) displaying a time period when no image from the time period exists in the recording medium (**column 19 lines 39-46**). Mori also teaches an array of thumbnail in which the x-axis represents a time period. Examiner should point out the specs and the claim are referring to the x-axis is really the y axis of time. To elaborate, figure 13 of the invention shows the vertical axis (y-axis) being time and the horizontal axis (x-axis) being the thumbnails. With this in mind Mori teaches on (**figure 20**) the vertical axis shows the time of the images being displayed.

Therefore, it would have been obvious at the time of the invention to combine the teachings of Hino and Mori to include the use of a thumbnail display to show the interests of a user. This is a useful feature because it allows user to interact video between two electronic devices.

However, Hino and Mori fail to teach the first display means and the second display means are operable to display images of the one or more images as a two-dimensional. Aoki teaches on (**figure 2A and 3A**) a two dimensional array of thumbnail videos.

Therefore, it would have been obvious at the time of the invention to combine the teachings of Hino, Mori and Aoki to include the use of a two dimensional array of

thumbnail videos. This is a useful combination because the user is capable of viewing multiple movies at the same time.

Regarding claims 3 and 6, Mori discloses the apparatus and method for displaying images according to claim 4, wherein a second axis of the two-dimensional array of thumbnail images **(figure 20)** represents a photography location **(column 19 lines 27-35)**.

Regarding claim 7, Hino discloses the method for displaying images according to claim 4, further comprising deleting the display image list stored **(column 15 lines 13-19)** in the remote controller when detecting extraction of the recording medium from the TV receiver **(acquisition of panel information objective appliance in figure 6)**.

Regarding claim 8, Hino discloses the apparatus for displaying images according to claim 1, wherein the second control means deletes the display image list stored **(column 15 lines 13-19)** in the second display-image-list storage **(Display on control command (71) in figure 1)** means when detecting extraction of the recording medium **(apparatus information memorizing means (13) in figure 10)** from the media insertion means **(acquire panel information in figure 11)**.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKLIN S. ANDRAMUNO whose telephone number is (571)270-3004. The examiner can normally be reached on Mon-Thurs (7:30am - 5:00pm) alternate Fri off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571)272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/
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